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THE AGENCY FOR INTERNATIONAL DEVELOPMENT
DEPARTMENT OF STATE
OVERSEAS SECURITY AND INVESTIGATIONS AGREEMENT

I. BACKGROUND

A. Under the Inspector General Act of 1978 as amended (P.L. 96-533 and P.L. 97-113), the Inspector General of the Agency for International Development is charged with specific responsibilities for:

1. Providing security services to that establishment and to the International Development Cooperation Agency (IDCA). These mandated responsibilities include the supervision, direction, and control of all security activities relating to AID and the IDCA programs and operations, the performance of inspections, and the preparation of semiannual reports to Congress on said activities.

2. Preventing and detecting waste, fraud and abuse in Agency Programs and Operations and reporting to the Attorney General of the United States expeditiously whenever the Inspector General (IG) has reasonable grounds to believe there has been a violation of Federal criminal law (with respect to waste, fraud and abuse of Agency Programs and Operations).

B. The Omnibus Diplomatic Security and Antiterrorism Act of 1986 assigns responsibility to the Secretary of State to develop and implement, in consultation with the heads of other federal agencies, policies and programs to provide for the protection of all U.S. government personnel on official duty overseas, and the establishment and operation of security functions at all U.S. missions abroad. To facilitate the fulfillment of this responsibility, other federal agencies are therein directed to cooperate and assist the Department of State, through agreement, to the maximum extent possible. The Omnibus Act expressly identifies types of assistance to be rendered, i.e., logistical support and security inspections. It also states that federal agencies may perform other overseas security functions as authorized by the Secretary of State.

II. STATEMENT OF AGREEMENT

A. In accordance with the above legislation and the policies enacted by the Overseas Security Policy Group (OSPG), the undersigned agree that the Department of State, Bureau of Diplomatic Security (DS) will perform certain overseas security, public safety

and law enforcement functions for the Agency for International Development (AID), and that the AID Office of the Inspector General, will cooperate and assist the Department to fulfill this responsibility in the manner and to the extent hereinafter set forth. The provisions of this Agreement supersede those contained in the previous Overseas Security Agreement between the Agency for International Development and the Department of State dated December 7, 1987.

B. Nothing in the following agreement shall derogate from or be construed to conflict with the authorities and responsibilities of the Chief of Mission under Section 207 of the Foreign Service Act of 1980 (22 U.S.C. 3927), or to derogate from or conflict with the responsibility of agencies under section 207 to keep the Chief of Mission fully and currently informed and to ensure that its employees comply with the applicable directives of the Chief of Mission.

III. PHYSICAL SECURITY SERVICES

A. DS will provide to the IG Office of Security (IG/SEC), in a timely manner, information pertinent to AID security. Such information will include, but not be limited to, threat reports and analysis, approved modifications to DOS security standards, and updates on DOS approved security products, systems or designs.

B. Overseas, the Regional Security Officer (RSO) will advise, through DS, the respective USAID and IG/SEC of any specific threat information concerning USAID facilities or personnel, and specify the security measures taken or planned to counter such threats. The RSO will also inform, through DS, USAID and IG/SEC of any general threat information concerning the U.S. community at post.

C. DS, through the responsible RSO, will provide or direct physical, technical, and procedural security services at all USAID posts overseas.

D. The RSO will conduct, on a regular basis, complete physical, personnel and procedural surveys of USAID missions and facilities. The RSO will notify the AID Director or senior agency representative prior to conducting a survey of AID facilities. IG/SEC may participate in all or part of the survey after coordinating with the RSO. New surveys will be conducted according to DS policy or whenever major changes occur in the physical structure, size, or location of space occupied by USAID in separate facilities. These changes may include, but are not limited to, completion of significant physical security improvements, acquisition of additional space in the same building, leasing of additional office space in another building, or relocation of the USAID mission to a new site. Copies of these types of reports will be forwarded to IG/SEC for review/concurrence with report recommendations.

Identification of funding will be provided prior to the initiation of any security projects resulting from the recommendations.

E. Technical security inspections by appropriate technical security personnel of USAID facilities will be conducted consistent with published technical security standards when

circumstances indicate a technical security inspection is warranted or when directed by DS. IG/SEC will make its requests for technical security inspections through DSS/OP.

F. The RSO will manage the guard force assigned to USAID office facilities and residences. Appropriate guard and watchman procedures for the above locations will be established and documented in the form of written guard orders, copies of which will be provided to the USAID Unit Security Officer (USO). Marine security guards will be assigned to USAID facilities when such assignment is deemed to be warranted by DS and IG/SEC, subject to other considerations such as the establishment of positions by the Department of State and the availability of Marine Corps personnel.

G. The RSO will conduct appropriate investigations of all incidents occurring on USAID premises or at USAID residences involving unauthorized or forced entries, physical penetration, and other similar breaches of security, and forward a detailed report of investigation through DS to IG/SEC in a timely manner.

H. IG/SEC will conduct periodic security inspections of USAID office facilities, residences, and warehouses, to evaluate compliance and assist USAID's in developing methods and strategies for meeting DOS and AID security standards and regulations. In support of these inspections, Regional Security Officers, will make available to IG/SEC such locally held files and information pertaining to USAID security as may be required.

I. IG/SEC will administer the AID security radio program in support of all USAID direct-hire and U.S. contractor personnel, regardless of location. The radios provided by IG/SEC will be fully compatible with the Department of State emergency and evacuation system.

IV. PERSONNEL SECURITY SERVICES

A. DS will conduct personnel security investigations, pursuant to Executive Order 10450, of US citizens who have served overseas and are applying for direct-hire and contract positions in AID as may be requested by the Assistant Inspector General for Investigations and Security (AIG/I&S). When requested by the AIG/I&S, DS will also conduct personnel security investigations of U.S. citizen direct-hire and contract personnel serving overseas. All such investigations will be scheduled through DS/I/PSS/A.

B. The RSO will screen all USAID alien applicants or personnel for suitability and reliability, and if appropriate, certify them as acceptable for employment. The USAID Unit Security Officer (USO) will assist the RSO or Post Security Officer (PSO) in the conduct of these investigations when so requested. The closest cooperation will be maintained between the RSO and PSO and the USAID USO to facilitate accomplishment of local investigations in the most effective way.

C. The RSO will conduct required investigations for the USAID Mission Director in matters concerning alien contractors and alien contractor personnel. The scope of coverage will be determined by the RSO and will be consistent with DS guidelines.

D. The RSO will conduct investigations on intended alien spouses of USAID's U.S. citizen employees as requested by the Mission Director or IG/SEC.

E. When the RSO receives reports or allegations bearing on the security or loyalty of USAID employees, the RSO shall communicate this information to DS/I/SIB. DS will coordinate matters with the AIG/I&S prior to issuing direction and guidance to the RSO. Except for emergency situations, or at the direction of the COM, the RSO will not initiate a formal investigation without DS approval. This does not preclude the RSO from conducting preliminary inquiries to substantiate allegations.

F. In the event that DS receives reports or allegations reflecting adversely on the suitability of AID U.S. employees overseas, the RSO will immediately communicate this information to the AIG/I&S, via DS/I/SIB, for determination of investigation requirements.

G. Except for emergency situations, no AID U.S. citizen employee under investigation by the RSO shall be confronted in an interview situation without approval and instruction from AIG/I&S through DS.

H. The RSO will provide the AIG/I&S, through DS/I/SIB, with detailed reports of all non-routine security investigations conducted for AID. All routine personnel security investigations will be forwarded to AID through DS/I/PSS/A.

V. PUBLIC SAFETY AND LAW ENFORCEMENT SUPPORT

A. The AID IG, under the provisions of the IG Act, has investigative responsibility for matters involving allegations of waste, fraud or abuse of AID programs and operations. When the RSO receives reports, information or allegations bearing on possible violations of U.S. Law with respect to waste, fraud, or abuse of AID programs or operations, the RSO will immediately inform DS/I/SIB for further provision, by the most expeditious means, to the AIG/I&S. This reporting requirement does not preclude the tandem notification of AID investigative personnel having a regional Criminal Investigative responsibility.

B. In addition to the support provided in connection with Personnel Security Investigations, DS will undertake and/or assist AID in the conduct of certain criminal investigations involving AID operations and personnel overseas. All such investigative tasking must be coordinated through DS/I/SIB.

C. The RSO will conduct public safety investigations for AID in matters involving crimes against persons. Whenever the subject of an investigation is identified as a U.S. direct-hire employee or Personal Services Contractor of AID, the RSO will

immediately notify the AIG/I&S of AID, through DS/I/SIB, with a courtesy copy to the Special Agent-in-Charge (SAC) of the IG Office of Investigations (IG/I) regional office.

D. The RSO will conduct preliminary inquiries and required investigations for the USAID Mission Director or AID Representative in matters concerning crimes against AID property; and will expeditiously notify the AIG/I&S, through DS/I/SIB, for coordination of investigative requirements.

E. No U.S. citizen employee or contractor of AID, who is the subject of an official criminal investigation by the RSO, shall be interviewed without the approval of and instructions from the AIG/I&S, through DS/I/SIB, unless requested by the Chief of Mission. Any time the RSO conducts a formal criminal inquiry or investigation concerning U.S. citizen employees or contractors of AID, a full report shall be forwarded to the AID AIG/I&S through DS/I/SIB. Urgent matters shall be handled by the most expeditious means of communication with appropriate offices notified as soon as practical.

VI. TRAINING SERVICES

A. The USAID Unit Security Officer (USO) will be trained and assisted in security matters by the appropriate Regional or Post Security Officer.

B. The RSO will include AID U.S. direct-hire and U.S. contractor personnel in all security training and indoctrination lectures and provide them with appropriate security briefing materials.

VII. ISSUE RESOLUTION

Should a conflict arise between USAID officials and DS Security Officers concerning the substance or interpretation of security matters, the issues in question will be forwarded to DS and the OIG for resolution.

For the Administrator:

For the Secretary:

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